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Attorneys for Plaintiff Ricoh Company, Ltd.

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION**

SYNOPSYS, INC.,

Plaintiff,

v.

RICOH COMPANY, LTD.,

Defendant.

RICOH COMPANY, LTD.,

Plaintiff,

v.

AEROFLEX INCORPORATED, et al.,

Defendants

**CASE NO. C-03-2289-MJJ**

**CASE NO. C-03-4669-MJJ**

**COMBINED CASE MANAGEMENT  
 STATEMENT AND [PROPOSED] ORDER**



6. On February 28, 2006, Synopsys and Defendants Aeroflex et al. moved to stay the litigation pending the PTO reexamination proceedings. On April 3, 2006, Judge Jenkins denied this motion. (Doc. 419).

7. By the Fall of 2006, and in accord with the then governing Pre-Trial Scheduling Order, the Parties had completed virtually all discovery and all of the dispositive motion briefing.<sup>2</sup> The Parties also had begun to make various exchanges in preparation for trial, including proposed jury instructions, deposition designations, and trial exhibit lists.

8. On November 21, 2006, the PTO mailed to Ricoh the first Office Action in the reexamination proceedings, rejecting all claims of the '432 patent, including each of the claims at issue in the pending litigation.<sup>3</sup>

9. On December 7, 2006, Synopsys and Defendants Aeroflex et al. again moved to stay the litigation. On December 15, 2006, Judge Martin Jenkins granted Synopsys and Defendants' motion, and stayed both of the consolidated cases pending the outcome of the '432 Patent reexamination proceedings in the PTO. (Doc. 733, Order Granting Synopsys' Motion to Stay) The litigation has been stayed since that time.

10. At the time of the stay order, trial was set for March 12, 2007. (Doc. 716, Amended Pre-Trial Order.)

11. The PTO reexamination proceedings currently are ongoing.

#### **[PROPOSED] SCHEDULE**

12. IT IS HEREBY STIPULATED AND AGREED by and between the Parties that the case management schedule should be as set forth below.

a. Pending the outcome of the PTO reexamination of the '432 Patent:

i. The case schedule will remain stayed and in the interim the cases will be

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<sup>2</sup> See, e.g., Doc. 347, Joint Stipulation And Request To Modify Second Amended Pre-Trial Order; Order Modifying Second Amended Pre-Trial Order; Doc. 478, Stipulation And [Proposed] Order Conforming Certain Dates To Existing Second Amended Pre-Trial Order.

<sup>3</sup> On January 22, 2007, Ricoh responded to the PTO's office actions. On November 21, 2007, the PTO issued a second non-final office action, and Ricoh responded on January 22, 2008.

transferred to the Court's inactive docket;

- b. Once the reexamination proceedings have concluded, the parties shall file a joint case management statement advising the court of the outcome and whether or not a case management conference should be set. The Case Management Conference scheduled for April 7, 2008 (pursuant to the Court Clerk's Notice Setting Case Management Conference (Doc. 736)) is vacated.

The Parties request that the Court enter the [Proposed] Case Management Order below, adopting the schedule set forth herein.

Dated: March 27, 2008

DICKSTEIN SHAPIRO MORIN & OSHINSKY

By: /s/  
Gary M. Hoffman  
Kenneth W. Brothers  
Attorneys for Ricoh Company, Ltd.

Dated: March 27, 2008

HOWREY, LLP

By: /s/  
Teresa M. Corbin  
Denise M. De Mory  
Attorneys for Defendants and Synopys

**[PROPOSED] CASE MANAGEMENT ORDER**

The Combined Case Management Statement and [Proposed] Order is hereby adopted by the Court as the Case Management Order for the case and the Parties are ordered to comply therewith.

The case schedule remains stayed and is transferred to the Court's inactive docket, pending the outcome of the PTO reexamination of the '432 Patent. Once the reexamination proceedings have concluded, the parties shall file a joint case management statement advising the court of the outcome and whether or not a case management conference should be set.

The April 7, 2008 Case Management Conference is vacated.

SO ORDERED:

By: \_\_\_\_\_  
Hon. James Ware  
United States District Judge

Dated: \_\_\_\_\_